

REMARKS

1. The Examiner has rejected claims 1 – 10 as being anticipated by Danielle (USPN 5,444,779).

2. In reply, the Applicants submit that independent claims 1 and 6 are not anticipated by Danielle for at least the following reasons:

(a) The Danielle arrangement is fundamentally concerned with the reproduction (or copying) of documents. In such an arrangement, the document being copied and the document provided to the user by the copying machine are identical.

In contrast, the claimed invention does not involve the copying of a document in the possession of a user, but the retrieval of a document which the user does not possess from a document database; and

(b) In the Danielle arrangement the purpose of the glyphs on the surface of the document being copied is to encode a message which indicates whether or not a copyright royalty is payable on the document. The glyphs do not identify a record in a copyright database that indicates whether such a royalty is payable (See col. 12, lines 65 to 68). In contrast, the coded data in the claimed invention does identify a record in the copyright database which indicates whether such a royalty is payable. The claimed sensing device reads the coded data, generates indicating data and the computer system uses this indicating data to access the copyright database in order to determine whether a copyright fee is payable.

3. The applicants have proposed to amend the claims in order to emphasise the above features so as to more clearly distinguish the claimed invention from the Danielle arrangement.

4. In light of these amendments it is clear that the following features of claim 1 are not disclosed in Danielle:

(a) *"recording, in a copyright database, at least one copyright ownership relating to at least one portion of the document"*: There is no such copyright database in the Danielle arrangement and no step of recording copyright ownership in such a database. Instead, the glyphs merely encode a message which indicates whether a copyright fee is payable or not.

(b) *"identifying, in the copyright database and from the indicating data, the copyright ownership relating to the document"*: Since there is no copyright database in the Danielle arrangement, the Danielle method does not involve identifying any records in such a database that indicate whether a copyright fee is payable.

(c) *"receiving, from a sensing device, indicating data indicative of a request for the document"*: In the Danielle arrangement, no request for a document takes place, since the user is in possession of the document and is merely seeking to reproduce that same document. The step of receiving indicating data indicative of such a request therefore does not take place.

(d) *"identifying, from the indicating data, the request for the document"*: Similar comments apply here. Since there is no request, there is no identification of such a request.

(e) *"retrieving the document from a document database"*: Again, since the user is in possession of the document in the Danielle arrangement there is no need for the apparatus to retrieve the document from a document database. Danielle does not disclose such a document database, nor a method involving the retrieval of a requested document therefrom.

5. For these reasons the Applicants submit that claim 1 is novel in light of Danielle. Similar comments apply in relation to independent claim 6.

6. Since independent claims 1 and 6 are both novel in light of the cited art, the Applicants submit that dependent claims 2 to 5 and 7 to 10 are also novel.

7. The Applicants have also made a number of minor amendments to the claims in order to improve their clarity. The Applicants submits that these amendments introduce no new matter.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK



PAUL LAPSTUN

C/o:

Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email:

kia@silverbrook.com.au

Telephone:

+612 9818 6633

Facsimile:

+61 2 9818 6711

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification

Section beginning at line 10 on page 1 to line 10 of page 2 has been amended as follows:

~~Various methods, systems and apparatus relating to the present invention are disclosed in the following co-pending applications filed by the applicant or assignee of the present invention simultaneously with the present application:~~

~~NPA014US, NPA015US, NPA022US, NPA023US, NPA024US, NPA025US,
NPA026US, NPA037US, NPA038US, NPA041US, NPA047US, NPA049US,
NPA050US, NPA051US, NPA052US, NPA053US, NPA063US, NPA065US,
NPA067US, NPA068US, NPA069US, NPA071US, NPA072US, NPB003US,
NPB004US, NPB005US, NPP019US, PEC04US, PEC05US, PEC06US,
PEC07US~~

~~The disclosures of these co-pending applications are incorporated herein by cross-reference. Each application is temporarily identified by its docket number. This will be replaced by the corresponding USSN when available.~~

~~Various methods, systems and apparatus relating to the present invention are disclosed in the following co-pending applications filed by the applicant or assignee of the present invention on 23 May 2000:~~

~~NPA001US, NPA002US, NPA004US, NPA005US, NPA006US, NPA007US,
NPA008US, NPA009US, NPA010US, NPA012US, NPA016US, NPA017US,
NPA018US, NPA019US, NPA020US, NPA021US, NPA030US, NPA035US,
NPA048US, NPA075US, NPB001US, NPB002US, NPK002US, NPK003US,
NPK004US, NPK005US, NPM001US, NPM002US, NPM003US, NPM004US,
NPN001US, NPP001US, NPP003US, NPP005US, NPP006US, NPP007US,
NPP008US, NPP016US, NPP017US, NPP018US, NPS001US, NPS003US,
NPS020US, NPT001US, NPT002US, NPT003US, NPT004US, NPX001US,
NPX003US, NPX008US, NPX011US, NPX014US, NPX016US, US2US,
UM52US, MJ10US, MJ11US, MJ12US, MJ13US, MJ14US,
MJ15US, MJ34US, MJ47US, MJ58US, MJ62US, MJ63US,
PAK04US, PAK05US, PAK06US, PAK07US, PAK08US, PEC01US,
PEC02US, PEC03US~~

~~The disclosures of these co-pending applications are incorporated herein by cross-reference. Each application is temporarily identified by its docket number. This will be replaced by the corresponding USSN when available.~~

~~Various methods, systems and apparatus relating to the present invention are disclosed in the following co-pending applications filed by the applicant or assignee of the present invention simultaneously with the present application:~~

~~09/609,139, 09/608,970, 09/609,039, 09/607,852,
09/607,656, 09/609,132, 09/709,303, 09/610,095,~~

<u>09/609,596,</u>	<u>09/607,843,</u>	<u>09/607,605,</u>	<u>09/608,178,</u>
<u>09/609,553,</u>	<u>09/609,233,</u>	<u>09/609,149,</u>	<u>09/608,022,</u>
<u>09/609,232,</u>	<u>09/607,844,</u>	<u>09/607,657,</u>	<u>09/608,920,</u>
<u>09/607,985,</u>	<u>09/607,990,</u>	<u>09/607,196,</u>	<u>09/606,999,</u>

The disclosures of these co-pending applications are incorporated herein by cross-reference.

Various methods, systems and apparatus relating to the present invention are disclosed in the following co-pending applications filed by the applicant or assignee of the present invention on 23 May 2000:

<u>09/575,197,</u>	<u>09/575,195,</u>	<u>09/575,159,</u>	<u>09/575,132,</u>
<u>09/575,123,</u>	<u>09/575,148,</u>	<u>09/575,130,</u>	<u>09/575,165,</u>
<u>09/575,153,</u>	<u>09/575,118,</u>	<u>09/575,131,</u>	<u>09/575,116,</u>
<u>09/575,144,</u>	<u>09/575,139,</u>	<u>09/575,186,</u>	<u>09/575,185,</u>
<u>09/575,191,</u>	<u>09/575,145,</u>	<u>09/575,192,</u>	<u>09/575,181,</u>
<u>09/575,193,</u>	<u>09/575,156,</u>	<u>09/575,183,</u>	<u>09/575,160,</u>
<u>09/575,150,</u>	<u>09/575,169,</u>	<u>09/575,184,</u>	<u>09/575,128,</u>
<u>09/575,180,</u>	<u>09/575,149,</u>	<u>09/575,179,</u>	<u>09/575,187,</u>
<u>09/575,155,</u>	<u>09/575,133,</u>	<u>09/575,143,</u>	<u>09/575,196,</u>
<u>09/575,198,</u>	<u>09/575,178,</u>	<u>09/575,164,</u>	<u>09/575,146,</u>
<u>09/575,174,</u>	<u>09/575,163,</u>	<u>09/575,168,</u>	<u>09/575,154,</u>
<u>09/575,129,</u>	<u>09/575,124,</u>	<u>09/575,188,</u>	<u>09/575,189,</u>
<u>09/575,162,</u>	<u>09/575,172,</u>	<u>09/575,170,</u>	<u>09/575,171,</u>
<u>09/575,161,</u>	<u>09/575,141,</u>	<u>09/575,125,</u>	<u>09/575,142,</u>
<u>09/575,140,</u>	<u>09/575,190,</u>	<u>09/575,138,</u>	<u>09/575,126,</u>
<u>09/575,127,</u>	<u>09/575,158,</u>	<u>09/575,117,</u>	<u>09/575,147,</u>
<u>09/575,152,</u>	<u>09/575,176,</u>	<u>09/575,115,</u>	<u>09/575,114,</u>
<u>09/575,113,</u>	<u>09/575,112,</u>	<u>09/575,111,</u>	<u>09/575,108,</u>
<u>09/575,109,</u>	<u>09/575,110</u>		

The disclosures of these co-pending applications are incorporated herein by cross-reference.

In the claims

1. (Amended) A method of collecting a copyright fee relating to a document when a user obtains, via coded data disposed on a surface, the document, the method including, in a computer system, the steps of:

recording, in a copyright database, at least one copyright ownership relating to at least one portion of the document;

receiving, from a sensing device, indicating data indicative of a request for the document, the sensing device, when placed in an operative position relative to the surface, generating the indicating data using at least some of the coded data;

identifying, from the indicating data, the request for the document;

retrieving the document from a document database;

providing the document to the user;

identifying, in the copyright database and from the indicating data, the copyright ownership relating to the document;

determining the copyright fee from the at least one copyright ownership; and

debiting a user account associated with the user in the amount of the copyright fee.

6. (Amended) A system for collecting a copyright fee relating to a document when a user obtains, via coded data disposed on a surface, the document, the system including:

a copyright database for recording at least one copyright ownership relating to at least one portion of the document;

a document database for storing the document;

a receiver for receiving, from a sensing device, indicating data indicative of a request for the document, the sensing device, when placed in an operative position relative to the surface, generating the indicating data using at least some of the coded data; and

a processing meansprocessor;

the processing meansprocessor being configured to:

identify, from the indicating data, the request for the document;

retrieve the document from the document database;

provide the document to the user;

identify, in the copyright database and from the indicating data, the copyright ownership relating to the document;

determine the copyright fee from the at least one copyright ownership; and

debit a user account associated with the user in the amount of the copyright fee.

7. (Amended) The system of claim 6, wherein the processing meansprocessor is further configured to credit at least one owner account associated with the at least one copyright ownership in the amount of the copyright fee.

9. (Amended) The system of claim 6, wherein the processing meansprocessor is further configured to:

receive, from the sensing device and via the receiver, identity data indicative of an identity of the user, the sensing device containing the identity data; and

identify, using the identity data, the user account.